

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 08-20009

v.

MICHAEL SLOAN MULLER,

HON. MARK A. GOLDSMITH

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
DEFENDANT'S MOTION FOR REDUCTION OF TERM OF
IMPRISONMENT (DKT. 60)**

This matter is presently before the Court on the Report and Recommendation ("R&R") of Magistrate Judge Michael Hluchaniuk, entered on October 31, 2011 (Dkt. 62). The Magistrate Judge recommends that the Court deny Defendant's motion for reduction of term of imprisonment (Dkt. 60). Defendant has not filed objections to the R&R and the time to do so has expired. Thus, Defendant has waived any further right to appeal. Thomas v. Arn, 174 U.S. 140, 155 (1985). The Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct results for the correct reasons. As the Magistrate Judge noted in the R&R, Defendant's allegations are incorrect as to his eligibility for reduction for his term of imprisonment.

Accordingly, the Magistrate Judge's R&R (Dkt. 62) is accepted and adopted as the findings and conclusions of the Court. Defendant's motion for reduction of term of imprisonment (Dkt. 60) is denied.

SO ORDERED.

Dated: February 14, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 14, 2012.

s/Deborah J. Goltz

DEBORAH J. GOLTZ

Case Manager